

Pt. 153

33 CFR Ch. I (7–1–04 Edition)

the heading “Where to send this form”, effective Aug. 13, 2004. For the convenience of the user, the revised text is set forth as follows:

**APPENDIX TO SUBPART D OF PART 151—
BALLAST WATER REPORTING FORM
AND INSTRUCTIONS FOR BALLAST
WATER REPORTING FORM**

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Where to send this form.

Vessels equipped with ballast water tanks bound for all ports or places within the waters of the United States after operating outside the EEZ (which includes the equivalent zone of Canada).	
Bound for	You must submit your report as detailed below.
The Great Lakes	Fax the information at least 24 hours before the vessel arrives in Montreal, Quebec, to the USCG COTP Buffalo, Massena Detachment (315–769–5032) or to the Saint Lawrence Seaway Development Corporation (315–764–3250). In lieu of faxing, vessels that are not U.S. or Canadian flagged may complete the ballast water information section of the St. Lawrence Seaway “Pre-entry Information from Foreign Flagged Vessel Form”.
Hudson River north of the George Washington Bridge.	Fax the information to the COTP New York at (718–354–4249) at least 24 hours before the vessel arrives at New York, New York. *NOTE: Vessels entering COTP New York Zone which are not bound up the Hudson River north of George Washington Bridge should submit the form in accordance with the instructions in the following block.
All other U.S. Ports	Report before departing the port or place of departure if voyage is less than 24 hours, or at least 24 hours before arrival at the port or place of destination if the voyage exceeds 24 hours; and submit the required information to the National Ballast Information Clearinghouse (NBIC) by one of the following means: Via the Internet at http://invasions.si.edu/NBIC/bwform.html ; E-mail to NBIC@BALLASTREPORT.ORG ; Fax to 301–261–4319; or Mail the information to U.S. Coast Guard, c/o SERC, P.O. Box 28, Edgewater, MD 21037–0028.
Vessels that have not operated outside the EEZ, which are equipped with ballast water tanks and are bound for all ports or places within the waters of the United States.	
Bound for	You must submit your report as detailed below:
All U.S. ports including the Great Lakes and Hudson River North of George Washington Bridge.	Report before departing the port or place of departure if voyage is less than 24 hours, or at least 24 hours before arrival at the port or place of destination if the voyage exceeds 24 hours; and submit the required information to the National Ballast Information Clearinghouse (NBIC) by one of the following means: Via the Internet at http://invasions.si.edu/NBIC/bwform.html ; E-mail to NBIC@BALLASTREPORT.ORG ; Fax to 301–261–4319; or Mail to U.S. Coast Guard, c/o SERC, P.O. Box 28, Edgewater, MD 21037–0028.

If any information changes, send an amended form before the vessel departs the waters of the United States.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The Coast Guard estimates that the average burden for this report is 35 minutes. You may submit any comments concerning the accuracy of this burden estimate or any suggestions for reducing the burden to: Commandant (G-MSO), U.S. Coast Guard, 2100 Second St. SW, Washington, DC 20593–0001, or Office of Management and Budget, Paperwork Reduction Project (2115–0598), Washington, DC 20503.

PART 153—CONTROL OF POLLUTION BY OIL AND HAZARDOUS SUBSTANCES, DISCHARGE REMOVAL

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AUTHORITY: 14 U.S.C. 633; 33 U.S.C. 1321; 42 U.S.C. 9615; E.O. 12580, 3 CFR, 1987 Comp., p. 193; E.O. 12777, 3 CFR, 1991 Comp., p. 351; 49 CFR 1.45 and 1.46.

SOURCE: CGD 73-185, 41 FR 12630, Mar. 25, 1976, unless otherwise noted.

Subpart A—General

§ 153.101 Purpose.

The purpose of this part is to prescribe regulations concerning notification to the Coast Guard of the discharge of oil or hazardous substances as required by the Federal Water Pollution Control Act, as amended (FWPCA); the procedures for the removal of a discharge of oil; and the costs that may be imposed or reimbursed for the removal of a discharge of oil or hazardous substances under the FWPCA.

[CGD 84-067, 51 FR 17965, May 16, 1986]

§ 153.103 Definitions.

As used in this part:

(a) *Act* means the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 *et seq.*).

(b) *CERCLA* means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 *et seq.*).

(c) *Chemical agents* means those elements, compounds, or mixtures that coagulate, disperse, dissolve, emulsify, foam, neutralize, precipitate, reduce, solubilize, oxidize, concentrate, con-

geal, entrap, fix, make the pollutant mass more rigid or viscous, or otherwise facilitate the mitigation of deleterious effects or removal of the pollutant from the water. The term “chemical agents” as used in this part includes dispersants, surface collecting agents, biological additives, burning agents, and sinking agents as defined in Subpart H of the National Contingency Plan.

(d) *Assistant Commandant for Marine Safety, Security and Environmental Protection* means the Coast Guard Officer designated by the Commandant to assist and advise the Commandant on matters related to marine environmental response, port and environmental safety, and waterways management.

(e) *Coastal waters* means all U.S. waters subject to the tide, U.S. waters of the Great Lakes, specified ports and harbors on the inland rivers, waters of the contiguous zone, or other waters of the high seas subject to discharges in connection with activities under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 *et seq.*) or the Deepwater Port Act of 1974 (33 U.S.C. 1501 *et seq.*), or which may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States (including resources under the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*)). These waters include those contained within the Exclusive Economic Zone declared by Presidential Proclamation 5030 on March 10, 1983 (43 FR 10605).

NOTE: Coastal waters are those waters where the Coast Guard has the responsibility for providing On-Scene Coordinators under the National Contingency Plan. Specific dividing lines between coastal and inland waters, and the identification of specified ports and harbors on inland rivers, are contained in Regional Contingency Plans prepared pursuant to the National Contingency Plan.

(f) *Contiguous zone* means the entire zone established by the United States under Article 24 of the Convention on the Territorial Sea and the Contiguous Zone, as published in the June 1, 1972 issue of the FEDERAL REGISTER (37 FR 11906).

(g) *Discharge* includes, but is not limited to, any spilling, leaking, pumping,